

***Ellington Broadcasting***

***P.O. Box 617  
Webb, MS 38966  
Tel: 662-375-2654***

April 12, 2017

Federal Communications Commission  
Media Bureau  
445 12th Street, SW  
Washington, DC 20554

To Media Bureau:

This letter should be considered an official complaint being filed within the 60 day window as stated in the Commission's rules 76.61(a)(5) against cable television provider Cable One for failure to respond to a Must Carry request by David Ellington, owner of WHCQ-LD. The community of license for WHCQ-LD is Cleveland, Mississippi. WHCQ-LD is a qualified LPTV station seeking Must Carry on Cable One's cable system located in Clarksdale, Mississippi.

A USPS certified Must Carry request letter dated January 13, 2017 was sent to Cable One located at 2247 Commerce Street Grenada, Mississippi 38901. This letter was delivered and signed for by a Cable One representative on January 17, 2017. Please note that a certificate of service showing a USPS receipt for the must carry letter is attached to this complaint (Attachment #1). Also, the original Must Carry request letter received by Cable One on January 17, 2017 is attached to this complaint. (Attachment #2).

After giving ample time, Cable One has failed to respond to the Must Carry request they received on January 17, 2017 from David Ellington, owner of WHCQ-LD. I am filing this must carry complaint against Cable One for failure to respond within 30 days as required in the Commission's rules 76.61(a)(2).

As stated in the original must carry request letter received by Cable One, WHCQ-LD meets all six of the LPTV must carry requirements listed under Title 47 of the Code of Federal Regulations. Also, WHCQ-LD requests to be carried on cable channel 8 (WHCQ-LD's virtual channel) located in the broadcast tier of the channel lineup on the Cable One Clarksdale, Mississippi cable system.

Note: A copy of this complaint has been sent to Cable One and a certificate of service for this mailing is included as Attachment #3.

Sincerely,  
David Ellington  
Ellington Broadcasting

## Attachment #1

### Certificate of Service

I hereby certify that a must carry request letter was sent to Cable One on January 13, 2017 via USPS Certified Mail to the following address:


Cable One  
2247 Commerce Street  
Grenada, Mississippi 38901

The letter was delivered and signed for by a CableOne representative on January 17, 2017.

The return receipt was received by me and copied below.

Signature: David Ellington

David Ellington

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"><li>■ Complete items 1, 2, and 3.</li><li>■ Print your name and address on the reverse so that we can return the card to you.</li><li>■ Attach this card to the back of the mailpiece, or on the front if space permits.</li></ul>	A. Signature <input checked="" type="checkbox"/> <u>M. Coffey</u> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee
1. Article Addressed to: <b>CABLE ONE DERON LINDSAY, GM 2247 COMMERCE GRENADA, MS 38901</b>	B. Received by (Printed Name) <u>M. Coffey</u> C. Date of Delivery <u>1-17-17</u>
 9590 9402 1970 6123 0848 47	D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No
2. Article Number (Transfer from service label) <b>7016 0340 0000 4351 6105</b>	3. Service Type <input type="checkbox"/> Adult Signature <input type="checkbox"/> Priority Mail Express® <input type="checkbox"/> Adult Signature Restricted Delivery <input type="checkbox"/> Registered Mail™ <input type="checkbox"/> Certified Mail® <input type="checkbox"/> Registered Mail Restricted Delivery <input type="checkbox"/> Certified Mail Restricted Delivery <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Collect on Delivery <input type="checkbox"/> Signature Confirmation™ <input type="checkbox"/> Collect on Delivery Restricted Delivery <input type="checkbox"/> Signature Confirmation Restricted Delivery <input type="checkbox"/> Insured Mail <input type="checkbox"/> Registered Mail Restricted Delivery (over \$500)
PS Form 3811, July 2015 PSN 7530-02-000-9053	Domestic Return Receipt

## **Attachment #2**

### **Ellington Broadcasting**

**P.O. Box 617  
Webb, MS 38966  
Tel: 662-375-2654**

January 13, 2017

CableOne  
Deron Lindsay, General Manager  
2247 S. Commerce  
Grenada MS 38901

Dear Mr. Lindsay,

This letter should be considered a formal request for cable must-carry of low power television station WHCQ-LD Channel 9 broadcasting from Cleveland, Mississippi. As the owner of qualifying LPTV station WHCQ-LD, I request cable must-carry of WHCQ-LD on the Clarksdale, Mississippi CableOne cable television system.

Also, I request that WHCQ-LD be carried on standard cable channel 8 which is the virtual channel for WHCQ-LD. WHCQ-LD qualifies for must-carry on the Clarksdale, MS system because it meets all of the FCC must-carry criteria listed under Title 47 of the Code of Federal Regulations listed below.

1. *WHCQ-LD broadcast 24 hours a day, 7 days a week from Cleveland, Mississippi. The city of license for WHCQ-LD is Cleveland, Mississippi.*
2. *WHCQ-LD meets all obligations and requirements applicable to full power television broadcast stations under part 73 of the Code of Federal Regulations with respect to nonentertainment programming; programming and rates involving political candidates, election issues, controversial issues of public importance, editorials, and personal attacks; programming for children; and equal employment opportunity. WHCQ-LD provides programming addressing local news and information needs not being adequately served by full-power television stations, because such full-power stations are distant from WHCQ-LD's community of license.*
3. *WHCQ-LD complies with interference regulations consistent with Part 74 of the Code of Federal Regulations.*
4. *WHCQ-LD is located no more than 35 miles from the cable system headend and delivers an over the air signal of good quality.*
5. *The community of license of WHCQ-LD and the franchise area of the cable system are both located outside of the largest 160 Metropolitan Statistical Areas.*
6. *There is no full power television broadcast station licensed to any community within the county served by the cable system.*

I look forward to hearing from you soon about this very important matter.

Sincerely,

David Ellington  
Owner, WHCQ-LD

### **Attachment #3**

#### Certificate of Service

I hereby certify that a copy of this must carry complaint was sent to Cable One on April 12, 2017 via USPS Certified Mail to the following address:

Cable One  
2247 Commerce Street  
Grenada, Mississippi 38901

Signature: David Ellington

David Ellington